

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAY MONTGOMERY, et al.,

Plaintiffs,

v.

U.S. BANK, N.A., et al.,

Defendants.

Case No. 24-cv-00557-RFL

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE**

Re: Dkt. No. 16

On January 30, 2024, Plaintiffs filed a complaint against Defendants (Dkt. No. 1), as well as a motion for a temporary restraining order (Dkt. No. 2). On February 6, 2024, the Court denied Plaintiffs' motion for a temporary restraining order. (Dkt. No. 15.) On February 29, 2024, Defendants filed a motion to dismiss Plaintiffs' complaint. (Dkt. No. 16.) Plaintiffs' opposition to Defendants' motion to dismiss was due on March 14, 2024. To date, Plaintiffs have failed to file any opposition to the pending motion to dismiss.

Accordingly, Plaintiffs are **ORDERED** to show cause, in writing, by **April 11, 2024**, as to why their complaint should not be dismissed for failure to prosecute. In addition, if Plaintiffs wish to pursue their claims against Defendants, they are further **ORDERED** to file a response in opposition to Defendants' motion to dismiss by **April 11, 2024**. If Plaintiffs file an opposition brief by that date, Defendants' deadline to file any reply brief will be **April 25, 2024**. Plaintiffs' failure to timely comply with this order will result in the dismissal of this case. *See* Fed. R. Civ. P. 41(b).

The hearing on Defendants' motion to dismiss, currently set for April 16, 2024, is hereby

VACATED. In other words, the hearing is canceled until further notice.

IT IS SO ORDERED.

Dated: March 21, 2024

A handwritten signature in black ink, appearing to read 'R. Lin', is positioned above a horizontal line.

RITA F. LIN
United States District Judge